

## REMARKS

Applicants respectfully request reconsideration of this application as amended. Claims 1, 3-10, 13-15, 22, 24, 26, 28, 30-31, 43, 45 and 47 have been amended. Claims 2, 11-12, 16-21, 23, 25, 27, 29, 32-42 and 46 have been cancelled without prejudice. No new claims have been added. Therefore, claims 1, 3-10, 13-15, 22, 24, 26, 28, 30-31, 43-45 and 47 are presented for examination. The following remarks are in response to the final Office Action, mailed October 27, 2008, and the Advisory Action, mailed January 12, 2009.

### 35 U.S.C. § 102 Rejection

Claims 1-47 are rejected under 35 U.S.C. §102(b), as being anticipated by Boykin, et al., U.S. Patent Publication No. 2004/0123279 ("Boykin").

Claim 1, as amended, recites:

A method for modifying a software application comprising:  
inserting functions calls at entry points and exit points of each method associated with the software application via a bytecode modifier;  
modifying a classfile after said classfile has been compiled from a source code version of the software application, said classfile describing properties of a class within an object oriented environment;  
modifying a method information structure for each method associated with the software application by adding byte code instructions to said method information structure to cause a plug-in handler method associated with a plug-in handler to execute an output function for each method, the plug-in handler to record method information associated with methods at each entry point and exit point;  
compiling results of the modifying of the classfile, the results including method information, the method information including a dependency hierarchical tree indicating dependency order of the methods, and a time hierarchical tree indicating chronological order of the methods; and  
filtering the method information, via a filtering module, according to user preferences and the dependency and time hierarchical trees.  
(emphasis added)

Boykin discloses instrumenting a Java application in a just-in-time fashion. A

*software developer obtains Java class files that comprise an application that the software developer desires to instrument. The software developer also obtains code for instrumentation probes*; each probe is associated with a location in an application, e.g., a specific method within a specific class. The probes along with the associated locations are registered in a registry, either programmatically or by loading a configuration file. At class load time, an injector *determines whether a loaded class has any instrumentation locations as predetermined by information in the registry*. If so, *the injector inserts hooks in the loaded class*. When the hooks are executed, the *hooks can manage the execution of the probes*, which can be dynamically added or removed from the registry during runtime and/or dynamically enabled or disabled during runtime (see Abstract; see also paragraph 7).

In contrast, claim 1, as amended, in pertinent part, recites “inserting functions calls at entry points and exit points of each method associated with the software application via a bytecode modifier . . . modifying a method information structure for each method associated with the software application by adding byte code instructions to said method information structure” (emphasis added). Having a *software developer to obtain Java class files that comprise an application and for instrumentation probes and to determines whether a loaded class has any instrumentation locations as* predetermined by information in the registry and using *the injector to insert hooks in the loaded class to manage the execution of the probes* which can be dynamically added or removed from the registry during runtime of Boykins is not the same as **modifying a software application by inserting functions calls at entry points and exit points of each method associated with the application via a bytecode modifier . . . modifying a method information structure by adding byte code instructions to said method**

information structure's respective method as recited by claim 1. Nowhere does Boykins teach or reasonably suggest modifying an application by inserting functions calls **at entry points and exit points** for each method as recited by claim 1.

Claim 1 further recites plug-in handler to execute an output function for each corresponding method, the plug-in handler to record method information associated with methods **at each entry point and exit point**. Boykins does not teach or reasonably suggest **inserting of functions calls at each entry and exit point** and the **recording of method information associated with methods at each entry and exit point** as recited by claim 1.

Furthermore, Boykins does not teach or reasonably suggest method information including a **dependency hierarchical tree indicating dependency order** of methods, and a **time hierarchical tree indicating chronological order** of the methods and **filtering according to user preferences provided** by a user, wherein said **filtering is further based on the dependency and time hierarchical trees** as recited by claim 1. Accordingly, Applicants respectfully request the withdrawal of the rejection of claim 1 and its dependent claims.

Claims 22 and 43 contain limitations similar to those of claim 1. Accordingly, for the reasons stated above, Applicants respectfully request the withdrawal of the rejection of claims 22 and 43 and their dependent claims.

### **Conclusion**

In light of the foregoing, reconsideration and allowance of the claims is hereby earnestly requested.

### **Invitation for a Telephone Interview**

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

### **Request for an Extension of Time**

Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

### **Charge our Deposit Account**

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

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